

Town of La Conner
Town Council Meeting
October 13, 2020 – 6:00 p.m.

The meeting of the La Conner Town Council was called to order at 6:00 p.m. by Mayor Hayes.

Present: Councilmembers Brunisholz, Leaver, Stokes, Chamberlain and Wohleb.

Also present: Administrator Thomas, Finance Director DeGoede, Public Works Director Lease, WWTP Operator Wynn, Planner Manville, Sgt. Willard of the Sheriff's Department and Adam Avery of the Fire Department.

This meeting was held by a Zoom meeting. Information to join was provided on the published Agenda and the Town Website.

Consent Agenda:

Approval of Agenda

Approval of the Minutes of September 22, 2020

Approval of the Minutes of October 2, 2020 Special Meeting

Accounts Payable:	Checks:	23506 - 23552	\$242,168.72
	Electronic Pmts:	201650 – Parking Mtr. Fees	\$76.67
		201651 – Util. Pmt. Fees	\$123.80
		<u>201652 – Leasehold Tax</u>	<u>1,430.26</u>
		Total Accounts Payable	\$243,799.45
Payroll of October 5, 2020	Checks:	5275 - 5283	\$20,237.51
	Electronic Pmts:	201647 - Auto DCP	\$2,291.00
		201648 - Auto PERS	\$10,765.89
		201649 – Auto PR Taxes	\$8,081.62
		<u>Payroll Auto Deposit</u>	<u>\$26,604.63</u>
		Total Payroll	\$67,980.65

Councilmember Leaver moved to approve the Consent Agenda as presented. Motion seconded by Councilmember Wohleb. Motion carried 5/0.

Chamber Report:

Chamber Director Carter has been focusing on holiday activities. There will be a mask contest, merchant holiday decorating contest, Ladies Night on November 20th, virtual Christmas Tree Lighting on December 5th and planning on a live posting of the Boat Show. She exceeded her membership goal for 2020, to include new members.

EDASC is distributing funds to all the local Chambers. Director Carter is not sure what the amount will be, but is planning on putting it towards shop local cards. She has been actively working with the “First on First” shopping nights as well.

Mayor Hayes shared Country Inn will be closed for the next three to four months. He also noted the permitting is stronger now than this time last year.

Public Works:

Public Works Director Lease stated the Waterfront Park Shoreline Restoration has started. The project is estimated to take ten weeks and is dependent on low tides. Because of this, the contractor requested to work nights when he can't work days to speed up the project. Shelter Bay will be impacted by the lights and noise, but Administrator Thomas is sending a letter notifying them of the upcoming evening work.

Councilmember Stokes thanked Public Works for helping with removing the debris from PSE's tree trimming around the power lines.

Fire Department:

Adam Avery of the Fire Department stated they have been active in completing life safety training and will be purchasing life safety items, such as radios.

Resolution 570 – Bill HR763 Climate Carbon Pricing:

Resident Joan Cross requested this resolution at the last meeting, but asked to have it more specifically defined. All Councilmembers spoke in favor of the HR763 Bill except Councilmember Stokes. He read about it and felt it had not passed in legislation because it is not about climate change and cleaner air, but about punitive taxes.

Councilmember Brunisholz moved to approve Resolution 570 with the addition of specifically defining the HR763 Bill. Motion seconded by Councilmember Chamberlain. Motion carried 4/1 with Councilmember Stokes voting nay.

Resolution 571 - La Conner Library Parking:

Planner Manville explained the new Library project has been working on a parking solution for quite some time now and can't fit all the required parking spaces in their plans. The Town Code has a provision for payment in lieu of 50% of commercial spaces. They have proposed to pay \$48,000 for ten off-street parking spaces behind the Library. There was concern on the impact of the residents that live behind the Library and utilize off-street parking in front of their homes. Planner Manville stated she did send out notifications but didn't receive one comment. She and Public Works Director Lease will discuss solutions to discourage Library visitor's use of the residential parking. Councilmember Stokes noted there was a Streets Committee meeting on this and the issue was resolved by the Town Code.

Councilmember Brunisholz moved to approve Resolution 571 for the La Conner Library parking spaces. Motion seconded by Councilmember Stokes. Motion carried 5/0.

Ordinance 1191 – Title 15 Code Updates:

Planner Manville proposed the amendments to the ADU provisions in the Residential District, residential use in the Commercial District, and miscellaneous cleanup. She also had removed the liveboards provision in section 15.35.020 but asked Council to approve this ordinance including it. The Port has been phasing them out and they are not allowed on Town moorage, but she didn't realize there were private docks in Town accommodating them, so we need to leave it in.

The significant changes in the Residential District to the ADU provisions is they are an outright allowed use; an increase in allowable floor area; and the owner is no longer required to live in one of the units, but must be a resident of La Conner. Also, administration will now be allowed to approve multifamily residential and retirement apartments for seniors. For the Commercial Zone, the residential use was expanded.

Other changes were the increase in height of fences from six feet to seven feet to comply with the building codes, setbacks and clarification of miscellaneous items.

Public Comments:

Resident Rick Dole stated the Port does have a few grandfathered liveboards that have been there for over 30 years.

Resident Bob Raymond expressed his concern that residential on the water side would interrupt businesses over the harbor. Planner Manville explained non-water dependent businesses are not allowed and residential would have to get a Shoreline Permit. Most residential are on the second floor. She has not received any requests for the bottom floor.

Resident Madeline Roozen stated people were not aware of the ADU changes and asked Council to defer the vote and put a splash in the paper for awareness. Also, the changes to the ADU provisions to create affordable housing wouldn't apply to housing on the waterfront, as it would be high-end and not affordable.

Resident Linda Talman requested Council to table the vote. She would like more discussion on not allowing residential on First Street.

Resident Joan Cross requested clarification on the percentage split for commercial vs. residential. Planner Manville answered 49% of the buildings square footage can be residential on the bottom floor with 51% remaining commercial. If the residential dwelling is on the second floor it can be 100% but the total floor area for the building (both commercial and residential) cannot exceed two times the property area. Also, an ADU can be an attic or basement conversion, an attached dwelling or detached dwelling.

Councilmembers were all in favor of keeping the provisions for the liveboards and the residential/commercial split. Councilmember Brunisholz and Stokes were not in favor for any limitations on owners of ADUs having to live in a unit on the property or in Town.

Councilmember Wohleb would like to see setbacks decreased. Planner Manville explained setbacks and density is not a part of this code update, but she will be working on that as well.

Councilmember Stokes moved to approve Ordinance 1191 Title 15 Code Updates with 15.35.020 provisions to allow liveboards to remain. Motion seconded by Councilmember Leaver. Motion carried 4/1 with Councilmember Brunisholz voting nay.

Councilmember Brunisholz feels ADU's should just be called rentals. He can't vote to force someone to live on their property.

Interlocal Agreement – Skagit County (Bridge Lighting):

Administrator Thomas explained this agreement includes the removal and discard of the existing lights and the installation of 600 LED magnetized lights. The County's compensation is for 1/3 of the estimated construction costs, not to exceed \$3,000. At this time, only the arch will be lite due to electrical limitations. Later the base can be included. The contractor's estimated cost for installing the lights is \$5,892. If we were to choose colored lights, the cost would jump to \$150,000. Mayor Hayes stated the bridge was lite in the past, but eventually the County sent a cease and desist letter to the individual that was maintaining the lights, due to safety issues. New technology at an affordable price has made it possible to light the bridge again.

Agreement – Axthelm Construction Inc.

Public Works Director Lease noted the contractor's estimate to install the lights is for 40 hours. It could be less.

Councilmember Stokes moved to approve the Mayor to sign the Interlocal Agreement between the Town and Skagit County for the lighting of the bridge and for the Mayor to sign the Agreement with Axthelm Construction for the installation of the lights. Motion seconded by Councilmember Wohleb. Motion carried 5/0.

2021 Budget:

Finance Director DeGoede stated the General fund includes a wage increase of 2% as per the Town policy. Public Works received a 3.25% wage increase as per the negotiated Union agreement. The revenues for sales tax was reduced by 30% in anticipation of next year's outcome of COVID-19.

The Sewer and Compost budgets were also presented. No capital projects are planned for 2021 to keep costs down. The Compost Fund's revenue has decreased in the last two years. Because of that, the fund needs time to recoup, so the Utility Tax is the same as 2020 at 7%.

Cares Act Grant Recipients:

Administrator Thomas stated the Town was awarded a little over \$43,000. Council contracted EDASC to oversee the application process and review applicants for recommendation of \$20,000, leaving the remainder balance for Town expenses. The recommendations from EDASC and staff are as follows:

Wild Iris \$2,500, Guitar Festival \$5,000, COA \$2,500, La Conner Live \$5,000 and MONA \$5,000. There were a total of 17 applicants. Mayer Hayes explained COA and the Wild Iris are both on Maple Street with no access to tourists on First Street. The other three have proven track records to draw tourism. EDASC will have another grant for arts and museums soon so there is another opportunity for those that were not selected this time.

Councilmember Wohleb moved to approve the recommendations for the CARES ACT Grant as presented. Motion seconded by Councilmember Chamberlain. Motion carried 5/0.

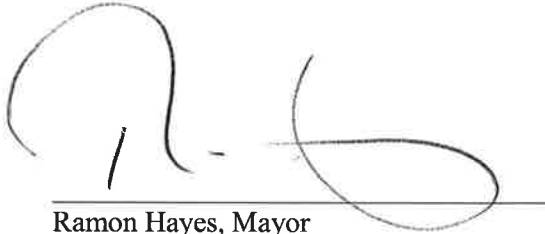
Mayor/Council Roundtable:

Councilmember Brunisholz requested the status on the purchase of the property for the dike. Administrator Thomas has made contact with the owners, but they need to discuss it amongst themselves. He is waiting for them to set a date to get together to discuss it.

There being no further business the meeting was adjourned at 7:52 p.m.



Maria DeGoede, Finance Director



Ramon Hayes, Mayor